

FISCAL NOTE

HB 3628 - SB 3746

March 11, 2006

SUMMARY OF BILL: Requires offenders convicted of aggravated rape, rape, rape of a child, or aggravated sexual battery to undergo chemical castration as a condition of community supervision for life, unless such treatment is medically or psychologically precluded. Offender is required to pay the cost of treatment, subject to ability to pay. Failure to obtain required treatment is a Class A misdemeanor.

ESTIMATED FISCAL IMPACT:

**Increase State Expenditures – Net Impact - \$387,400 1st Year
Increasing to \$2,539,600 in the Tenth Year**

Assumptions:

- According to the Department of Correction (DOC), an average of 125 inmates per year will be released in the next 10 years who have been convicted of a covered offense. All of these inmates will undergo medical and psychological evaluation by the DOC at a cost of \$585 per inmate. The annual cost of this evaluation is \$73,125.
- Of this number, 10 percent (13 per year) will be found medically or psychologically ineligible for treatment. Chemical castration will begin on 112 inmates per year prior to their release at a total cost of \$416.50 per inmate for seven weeks of treatment (\$57.50 drug cost + \$2.00 supply cost = \$59.50 x 7 weeks = \$416.50). DOC will incur annual pre-release treatment costs of \$46,648 (\$416.50 x 112 offenders = \$46,648). Total annual costs to DOC for evaluation and treatment are \$119,773.
- According to the Board of Probation and Parole (BOPP), ongoing treatment costs after release will be \$250 per offender per month for drug costs, medical monitoring and assessment, and lab fees. BOPP's treatment cost in the first year will be \$336,000 (112 offenders x \$250 monthly cost x 12 months = \$336,000). This cost will increase as more offenders are released in subsequent years. In the tenth year, when 1,125 eligible offenders will have been released, BOPP's cost will be \$2,868,000 (assuming 15 percent of offenders are no longer treated due to death, disappearance, or new medical or psychological ineligibility) (1,125 offenders x 15% attrition x \$3,000 annual cost per offender).

- Combined costs for DOC and BOPP are \$455,773 in the first year and \$2,987,700 in the tenth year. Fifteen percent of these costs will be recovered from offenders with partial or full ability to pay. Payments by offenders will total \$68,366 in the first year and \$448,155 in the tenth year. The net cost of the program will be \$387,407 in the first year and \$2,539,600 in the tenth year.
- BOPP will not require any additional resources for heightened monitoring of offenders who are ineligible for chemical castration.
- No significant increase in revenues or expenditures to local governments for increased prosecutions of Class A misdemeanor of failing to undergo chemical castration.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director